those who seek the benefit of her many years of experience. During her tenure at the Federal Maritime Commission, one of her administrative accomplishments was preparing a whole generation of Senior Executive Service employees, many of whom continue to serve at that agency today.

Madam Speaker, throughout her career, Ming Hsu has been a pioneer, someone unafraid of a challenge and an individual who has repeatedly distinguished herself, yet doing so with graciousness and good will. She is an impressive and amazing woman who we thank for her selfless service in so many capacities and who we wish good health and good fortune in the years to come.

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–125)

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 18, 2008

Ms. DELAURO. Mr. Speaker, I rise in support of the override of the President veto. As a conferee on the farm bill I worked hard to ensure that this bill includes significant improvements to the food assistance program via the nutrition title. A nation with the agricultural abundance we enjoy should not tolerate hunger among its people. This legislation makes important progress in that regard.

Many of its nutrition provisions are important and deserve mention. In the interests of time, however, I will not go into them all. One of the positive aspects of the protracted process of passing the bill is that all Members have had ample opportunity to review the conference report and floor statements surrounding its passage. This is large and complex legislation, and the legislative history accumulated on its first passage and first override is an invaluable guide to Members.

I found particularly helpful the statements of the distinguished chairman of the Nutrition Subcommittee, Mr. BACA, and his distinguished fellow conferee from the Judiciary Committee, Mr. BERMAN. Among other things, they pointed out that this legislation takes decisive steps to preserve the longstanding ability of households on the food stamp program to seek help through the judicial system when Federal rules on how the program is to be administered are not being met. Specifically, the bill provides explicit recognition of applicants' and recipients' suits to enforce the Food Stamp Act, now the Food and Nutrition Act, food stamp regulations, and civil rights regulations.

This is the right thing to do and it is important. In light of the Gonzaga and Sandoval cases, some have argued that Congress did not provide this right to injured households and that instead only USDA can require States to change practices that do not comply with the Act or regulations. Those cases were about different statutes and different programs. Nonetheless, recent decisions out of Ohio and New York either questioned the enforceability of Federal regulations or imposed special hurdles plaintiffs must surmount, such as showing a particular degree of egregiousness on the part of defendants. These cases are radical departures from the history of this program and Congress's oft-demonstrated intent.

I agree with Representatives BACA and BERMAN that the Food Stamp Program's needs are different from those in which private rights of action are narrowly construed. And, over the years Congress has recognized that. Individuals that received, or wished to receive, food assistance brought numerous cases against State and local authorities in the 1970s to enforce provisions of the Food Stamp Act, its implementing regulations, and even USDA's certification manual. They did this because USDA lacked the resources to force States to comply with its guidance and directives, including basic services standards such as emergency food stamps for the neediest. When Congress wrote the Food Stamp Act of 1977, it analyzed the results of that litigation in detail, approving some results and writing the statute to reach a different result from others. A similar pattern has continued to this day.

We set high standards for the States, counties and localities that run these programs. We do that because they are serving our most vulnerable citizens with tens of billions of Federal dollars. The high standards of compliance that we apply to State and local administration of the program can be seen in our payment accuracy and quality control measurement system, one of the most extensive in the Federal Government. This system, however, does not give equal or adequate weight to improper denials of benefits as it does to payment errors to eligible households. And it does not at all address violations of the procedures set out in the statute and regulations. For example, quality control does not deal with a State's failure to operate a proper fair hearing system, with its improper disclosure of households' confidential information, or with its delay in processing applications beyond statutory and regulatory deadlines.

Claimants' litigation has proven the ideal complement to the quality control system. Where a program is being run badly in a locality, or statewide, a court can issue a corrective injunction to require the State to come into compliance with Federal regulations. This is particularly important in cases where the violation may not have resulted in a denial of benefits, such as violations of privacy protections or of the requirement that only State merit systems workers make decisions about households' ability to receive benefits.

Our goal has never been to punish States and so we do not concern ourselves with why the program is out of compliance. We merely seek to ensure that States comply with Federal rules when administering this program. Litigation has proven time and again that it is the ideal vehicle for that. Past Federal appellate decisions from places such as Virginia and Oregon have it exactly right: State and local administrators need to comply fully in every case.

There is no half-way or partial compliance with the programs' rules. We agree with past federal appellate decisions from places such as Virginia and Oregon that state and local administrators must comply with the rules in each and every case. States must deliver benefits consistent with the program's regulations and law to ensure that the most vulnerable and needy are protected and supported as they seek to participate in the program. Litigation has proven time and again that it is the ideal vehicle to enforce compliance where States are only partially meeting program standards.

In other programs, the solution to non-compliance may be reducing or terminating federal funds. That is still possible in these programs, but it cannot be a mainstay of enforcement activities. We learned that withdrawing Federal funding led to worse, not better, program administration, depriving States of the resources they needed to correct their problems at the worse possible time. Accordingly, in the last farm bill we modified quality control to place much less emphasis on reducing funding to states. USDA over the years has similarly felt that withholding funding even for serious violations is often counterproductive.

It should be clear that the long history of congressional approval of litigation by needy individuals supports the continuation of that regulation. The statute's entitlement is closely linked with States' obligation to comply with Federal regulations. Particularly with some States embarking on radical changes in their administration of the program, closing offices and turning key functions over to private contractors, it is crucial that the program's intended low-income beneficiaries have access to courts to test the legality of those changes. Although I would have preferred to have expanded the protections on public administration of the program, as the House bill would have done, our acceptance of the Senate package was a compromise that ensures households' access to the courts to test these States' practices under the current restrictions.

SLOAN MUSEUM AND LONGWAY PLANETARIUM

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 24, 2008

Mr. KILDEE. Madam Speaker, I rise today to honor Sloan Museum and Longway Planetarium for receiving accreditation from the American Association of Museums. Sloan Museum and Longway Planetarium join an elite group of 775 accredited institutions out of 17,500 museums in the United States.

Located in my hometown of Flint, Michigan, Sloan Museum and Longway Planetarium are icons of the Flint Cultural Center. The greater Flint community began planning the Flint College and Cultural Center in 1952. The Sloan Museum, named after Alfred P. Sloan, was designated as the transportation and local history museum and now includes the Buick Galley and Research Center opened in 1999. The Robert T. Longway Planetarium was conceived as a place to teach students and the greater public about the universe and general science. The two institutions merged in 2004.

Accreditation by the American Association of Museums is the culmination of a 2-year-long application process. To receive accreditation a museum has to demonstrate a commitment to outstanding programming for the public and at the same time meet high standards for the care of the scientific and cultural artifacts in its custody. The Sloan Museum and Longway Planetarium meet the exacting